

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

APPLE INC.,

Petitioner,

-against-

DOE,

Respondent.

MEMO ENDORSED

3/9/2017
file unsealed by return
paper by Clerk
tele. Clerk &
directed &
sealed ✓
part 1

Civil Action No. 1:17-mc-00150-P1

**MOBILE STAR, LLC'S RESPONSE
TO ORDER TO SHOW CAUSE**

USDC SDNY
DOCUMENT
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DATE: 5/9/17

Pursuant to the Court's May 4, 2017 Order to Show Cause to Mobile Star, LLC ("Mobile Star") why Respondent's name in this action should remain redacted and why this matter should remain sealed, Mobile Star submits the following response.

Mobile Star maintains its good faith belief that the disclosure of the identities of its suppliers is likely to put Mobile Star at a competitive disadvantage, and that the identities of its suppliers are trade secrets. *See, e.g., Citizens of Humanity, LLC v. Costco Wholesale Corp.*, 171 Cal. App. 4th 1, 14 (Cal. Ct. App. 2011); *Beiner Enterprises, Inc. v. Adam Caldwell, Inc.*, No. CV 13-08723-AB MRWX, 2015 WL 3631574, at *12 (C.D. Cal. June 10, 2015). Nonetheless, in light of the Court's stated opinion that Respondent's identity is not a trade secret under New York law, and in light of Mobile Star's particular relationship with Respondent (in contrast to Mobile Star's relationship with certain of its other suppliers), Mobile Star does not require that Respondent's name remain redacted in

this proceeding and does not require that this proceeding remain sealed. Mobile Star does not intend to, and in no way does, withdraw its confidentiality designations as to the identities of its suppliers as set forth in the underlying litigation pending in the Northern District of California, Case No. 3:16-cv-06001.

Respectfully submitted,

DATED: May 8, 2017

GREENBERG GLUSKER FIELDS CLAMAN
& MACHTINGER LLP

By: /s/ Aaron J. Moss

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in Case No. 3:16-cv-06001 pending in
N.D. Cal.*